

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No: 04-40190-FDS

COLLEEN O'DONNELL,)
Plaintiff,)
)
v.)
)
ALBERTO R. GONZALES, ATTORNEY)
GENERAL, U.S. DEPARTMENT)
OF JUSTICE,)
Defendants,)

**PLAINTIFF'S ASSENTED TO MOTION FOR EXTENSION OF TIME TO DESIGNATE
AND SUBMIT EXPERT INFORMATION**

Now comes the Plaintiff in the above-entitled matter and respectfully requests the Court grant her Motion for Extension of Time to Designate and Submit Expert Information.

As ground therefor, the Plaintiff asserts the following:

1. On or about August 22, 2005, the Plaintiff filed an Assented to Motion for an Extension of Time to Designate and Submit Expert Information.
2. At that time, the parties were anticipating that the depositions of the parties would be completed by August 26, 2005.
3. The depositions of the parties took longer than anticipated and were not, in fact, completed until September 16, 2005, by agreement of the parties.
4. The parties had agreed that following the completion of non-expert discovery they would attempt to explore the possibility of settlement.
5. Additionally, Plaintiff's counsel was out of the country on vacation from September 24, 2005, to October 10, 2005.

6. The parties had some initial discussions exploring the possibility of settlement. However, it has become apparent that at this point in time the parties will be unable to settle the matter.
7. The Plaintiff has filed together with this motion, the Plaintiff's Stipulation of Dismissal of Count I Only of Her Complaint.
8. Through the Discovery process and discussions between the parties, a number of issues in the case have been clarified and streamlined.
9. It has now become apparent that the Plaintiff will need to obtain an expert.
10. The current deadline for the Plaintiff to designate and submit expert information is November 1, 2005.
11. The parties are currently scheduled to appear for a Status Conference on November 22, 2005, at 2:00 p.m. The Plaintiff respectfully requests that the Court grant her until November 22, 2005, to designate and submit expert information.

12. Plaintiff's counsel has conferred with Defendants' counsel who has assented to this motion.

WHEREFORE, the Plaintiff respectfully requests that the Court grant her Motion to Extend Time to Designate and Submit Expert Information until November 22, 2005.

The Plaintiff,
Colleen O'Donnell

Dated: October 24, 2005

By her attorney:

"/s/" Dawn D. McDonald
Dawn D. McDonald, Esq.
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CERTIFICATE OF SERVICE

I, Dawn D. McDonald, hereby certify that I caused the foregoing to be served upon the Defendant by mailing a copy thereof on this 24th day of October, 2005, via first class mail as follows:

Damian Wilmot, Assistant U.S. Attorney
1 Courthouse Way
Suite 9200,
Boston, MA 02210.

"/s/" Dawn D. McDonald
Dawn D. McDonald